

# Order

Michigan Supreme Court  
Lansing, Michigan

December 9, 2005

Clifford W. Taylor,  
Chief Justice

128627

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 128627  
COA: 251824  
Kalkaska CC: 01-002134-FH

KEVIN RAY DUDDLES,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the March 10, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

KELLY J., dissents and states as follows:

I would remand this case for resentencing. The judge departed from a guidelines maximum of 15 months and sentenced defendant to 15 years in prison. I believe that this is unreasonable under *People v Babcock*, 469 Mich 247 (2003).



11206

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 9, 2005

*Corbin R. Davis*

Clerk